

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

In the matter of Notice of Proposed  
Rulemaking FCC 16-57

CG Docket No. 02-278

Rules and Regulations Implementing the  
Telephone Consumer Protection Act of 1991

**REPLY COMMENTS OF VINCENT LUCAS**

I agree generally with the comments of the Federal Trade Commission<sup>1</sup>, specifically that any debt collection automated or prerecorded calls should be “only to those regarding debts in ‘default’”, “only to persons who actually owe the debts”, and “only for collection purposes.”<sup>2</sup>

*Accord* Comments of Sen. Edward J. Markey et al.

Regarding the Commission’s proposed changes to 47 C.F.R § 64.1200(a)(3), I propose instead the following changes:

(3) Initiate any telephone call to any residential line using an artificial or prerecorded voice to deliver a message without the prior express written consent of the called party, unless the call;

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<sup>1</sup> The FCC recently changed its electronic interface for comment submission and I could not find the FTC’s comments through a search using the new interface. The FTC’s comments are available at [https://www.ftc.gov/system/files/documents/advocacy\\_documents/comment-staff-ftc-bureau-consumer-protection-federal-communications-commission-rules-regulations/160616robocallscomment.pdf](https://www.ftc.gov/system/files/documents/advocacy_documents/comment-staff-ftc-bureau-consumer-protection-federal-communications-commission-rules-regulations/160616robocallscomment.pdf) and a FTC press release announcing the comments is available at <https://www.ftc.gov/news-events/press-releases/2016/06/ftc-provides-staff-comment-fcc-proposal-amend-its-regulations-use>

<sup>2</sup> FTC Press Release, *supra* n. 1

(iii) Is made for a commercial purpose but does not include or introduce an advertisement or constitute telemarketing and is not made in order to collect a debt;

\* \* \*

(vi) Is made in order to collect on a debt that is in default, provided that the call is made to the person or persons obligated to pay the debt and that the call is made solely for the purpose of collecting the debt and the call complies with the Federal Debt Collection Practices Act and all regulations promulgated pursuant thereto.

These proposed changes address my prior comments, and the comments of the FTC and the group of U.S. Senators, regarding harassing robocalls made to *people who do not even owe a debt.*

In the case of 47 C.F.R § 64.1200(a)(3), I see no reason to treat government-owed debts on different footing than other debts, and adding language regarding government-owed debts only adds unnecessary verbiage.

Respectfully submitted,

Vincent Lucas